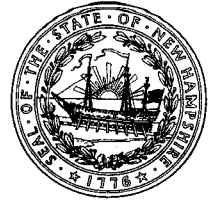




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-017**

March 03, 2006

Jean Treble
Jean Treble Revocable Trust
862 W Main St
Antrim, NH 03440

RE: DES Wetlands File #2006-00371 862 West Main St, Hillsborough

Dear Ms. Treble:

On March 2, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Hillsborough Tax Map 18 as Lot 24 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. Approximately 350 square feet of the lake bed on Franklin Pierce Lake had been excavated for the purpose of installing permanent dock support posts in the lake bed.
2. Excavated material was stockpiled on the lake bed without appropriate erosion and sediment controls installed.

Therefore in response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. Have the restoration plan include provisions for dismantling the permanent posts supporting the existing section of dock and back filling of the excavated area, without post supports situated in the lake bed on the Property. Submit the following with the restoration plan:
 - a. A plan with dimensions, drawn to scale or with measurements listed, showing:
 1. Existing conditions, with the normal high water mark; and
 2. Proposed conditions after reestablishing the jurisdictional areas with the dock installed in the original location, configuration and dimensions, with the supports resting on the lake bed;
 - b. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
 - c. Within 10 days of completing the requested work, provide DES with photo documentation depicting the restoration process and completed project, and include photos of the structure prior to the initial start of construction.
2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

Please be advised the Department considers the docking facility located on the subject property a seasonal structure, and therefore, would not approve the conversion to permanent dock supports placed in the lake bed.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit,

March 3, 2006

Page 2 of 2

this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey D. Blecharczyk
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Jeffrey D. Blecharczyk at (603) 271-6876.

Sincerely,


Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7005 0390 0001 8424 3082

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Hillsborough Conservation Commission
Hillsborough Board of Selectmen
USACOE
LAB Landscape & Bobcat Service LLC